BEFORE THE DIVISION OF OIL, GAS AND MINING DEPARTMENT OF NATURAL RESOURCES STATE OF UTAH

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IN THE MATTER OF TENTATIVE :

DECISION TO APPROVE A LARGE
MINING AND RECLAMATION PLAN

NOTICE OF TENTATIVE
DECISION TO APPROVE

FOR INTERPACE INDUSTRIES, INC.'S

HENEFER RED CLAY MINE, : NO. M/043/014

SUMMIT COUNTY, UTAH

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THE STATE OF UTAH TO ALL OPERATORS, TAKERS OF PRODUCTION, MINERAL AND ROYALTY OWNERS, AND PARTICULARLY ALL PERSONS INTERESTED IN SECTION 34, TOWNSHIP 4 NORTH, RANGE 4 EAST, SLBM, SUMMIT COUNTY, UTAH.

Notice is hereby given by the Division of Oil, Gas and Mining of its tentative decision to approve the Large Mining Operations Notice of Intention for Interpace Industries, Inc.'s Henefer Red Clay Mine. Mining activities will affect the following area: Portions of the NE1/4 of Section 34, Township 4 North, Range 4 East, SLBM, Summit County, Utah.

Interpace Industries, Inc. has submitted a permit application to expand an existing small mining project to a large mining operation. The operator will employ the following mining and reclamation techniques on approximately 17.9 acres of private land.

During Operations: The mining will consist of pushing the clay material down a natural slope with a dozer where it is transported by a front-end loader to a vibrating or rotary screen. The screen separates the clay from the rock fragment and is loaded onto trucks and shipped to the brick-making facility in Ogden. The screened rock is stockpiled on site until sold. Topsoil/overburden material are stripped and stockpiled for reclamation prior to removal of the clay. There are no permanent structures on site. When fuel is stored on site, it will have secondary containment with a capacity of 110% of the storage tank to contain any spill that may occur. There is no public vehicle access to this site due to the area being managed as part of the Henefer Wildlife Management Area and is behind locked gates.

After Operations: The access road (3.5 acres) will remain for access to the private property, Wildlife Resources employees and fire crews to access the Henefer/Echo Wildlife Management Area. No slopes steeper than 30 degrees will remain. All areas will have topsoil or amended soil resources replaced at a depth of 8-10 inches. All areas to be seeded will be amended with 10-tons per acre of composted manure. All disturbed areas will be ripped to a depth of 18 inches to alleviate compaction. The ephemeral drainage will be re-established through the reclaimed area. The channel will average 10-15 feet wide and 3-4 feet deep. The site will then be revegetated in the fall by broadcasting an approved seed mixture designed to provide quality winter forage for big game species.

The person representing the company is Mr. Aaron Hancock; Phone (801) 782-7933. Interpace Industries, Inc. is fulfilling obligations under the Utah Mined Land Reclamation Act of 1975, Utah Code Ann. §40-8-18.

Any person or agency aggrieved by this tentative decision to issue approval is hereby requested to submit written protest within thirty (30) days of the date of publication to Mary Ann Wright, Associate Director of Mining, Division of Oil, Gas and Mining, 1594 West North Temple, Suite 1210, Box 145801, Salt Lake City, Utah 84114-5801, setting forth factual reasons for the complaint. If no responsive written protests are received by the Division within 30 days after the last date of publication, the tentative decision of the Division will be final.

DATED THIS 28th day of Jan, 2003

STATE OF UTAH DIVISION OF OIL, GAS AND MINING

Lowell P. Braxton

Director

CERTIFICATE OF MAILING

I hereby certify that I caused a true and correct copy of the foregoing Notice of Tentative Decision to Approve the Large Mining Notice of Intention for Interpace Industries, Inc.'s Henefer Red Clay Mine, M/043/014 to be sent via facsimile, electronic mail, or mailed by first class mail, postage prepaid, the 27 day of January, 2003 to:

FACSIMILE: 237-2776 and E-MAIL: naclegal@nacorp.com Salt Lake Tribune Advertising Department 116 Regent Street P.O. Box 45838 Salt Lake City, Utah 84145

FACSIMILE: (435) 654-5085 and E-MAIL: <u>laurie@wasatchwave.com</u> Summit County Bee Legal Advertising 165 South 100 West P.O. 'Box 128 Heber City, Utah 84032-3040

FACSIMILE: (435) 649-4942 and E-MAIL: legals@parkrecord.com
The Park Record
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P.O. Box 3688
Park City, Utah 84060-3688

CERTIFIED RETURN RECEIPT 7099 3400 0016 8896 2819 Aaron Hancock Interpace Industries, Inc. 736 West Harrisville Road P.O. Box q2118 Ogden, Utah 84412 Lesli Burns Summit County Planner 627 South Main P.O. Box 128 Coalville, Utah 84017

Hersh William Forshaw Heath Land Partners LTD PO Box 175 Henefer, Utah 84033-0175

C Ray and Sharlene H. Anderton PO Box 147 Henefer, Utah 84033-0147

Michael Errol and Philip Grant Paskett, Trustees PO Box 123 Henefer, Utah 84033

Joe Burns, Secretary

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